

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

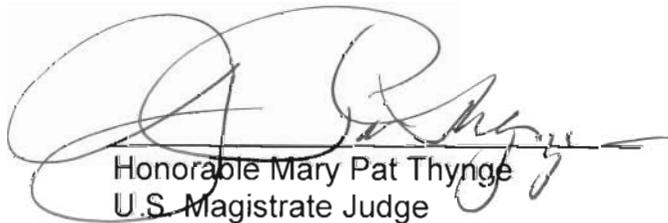
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|------------------------------|---|----------------------------|
| WILLIAM J. HAMMONS, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Civ. Action No. 05-718-*** |
| |) | |
| THOMAS CARROLL, |) | |
| Warden, and JOSEPH R. |) | |
| BIDEN, III, Attorney General |) | |
| of the State of Delaware, |) | |
| |) | |
| Respondents. ¹ |) | |

ORDER

At Wilmington this 9 day of March, 2007;

IT IS ORDERED that:

Petitioner William J. Hammons' motion to amend his habeas petition to assert three independent claims of factual innocence, legal innocence, and insufficient evidence is **DENIED**. (D.I. 36) In claims three and four of his petition, Hammons clearly challenged his conviction on three grounds: (1) factual innocence; (2) legal innocence; and (3) insufficient evidence. (D.I. 1, at 29-33) Therefore, an amendment is unnecessary, and the court will address these three claims in its review of Hammons' petition.


Honorable Mary Pat Thyng
U.S. Magistrate Judge

¹See Fed. R. Civ. P. 25(d)(1). Attorney General Joseph R. Biden, III assumed office in January, 2007, replacing former Attorney General Carl C. Danberg, an original party to this case.